

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CORY M. ROWE,

Petitioner, : Case No. 3:20-cv-094

- vs -

District Judge Walter H. Rice
Magistrate Judge Michael R. Merz

STATE OF OHIO,

:
Respondent.

ORDER TO SUPPLEMENT PETITION

This case is before the Court on the filing *pro se* by Petitioner Cory M. Rowe of a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. Rowe avers that he is currently confined in the United States Penitentiary in Pollock, Louisiana, pursuant to a sentence of this Court in March 2013 (Petition, ECF No. 1, PageID 1).

Review of this Court's docket shows that Rowe was a Defendant in United States v. Michael Joseph Rowe and others, Case No. 3:13-cr-039. On March 12, 2014, he was sentenced to eighty-four months imprisonment, consecutive to any state sentence then being served (ECF No. 113 in 3:13-cr-039). According to the Return on the Judgment, he was delivered to federal custody the next day (ECF No. 117, PageID 369 in 3:13-cr-039).

Rowe asserts in the Petition that he was arrested by the Darke County, Ohio, Sheriff's Department on charges filed in the Darke County Court of Common Pleas for sexual battery and rape of his daughter (ECF No. 1, PageID 2. He asserts that he has pleaded not guilty in that case and demanded a speedy trial, "but the State will not bring me to trial." *Id.*

Inquiry to the Darke County Court Administrator and separate inspection of the Clerk of Courts records reveals no such pending case. It does show a currently pending appeal in the Ohio Second District Court of Appeals from denial of a motion to vacate an allegedly void sentence, but that is not in a case involving sexual misconduct.

The Magistrate Judge is unable to corroborate any of Rowe's claims from the publicly-available sources. Accordingly, it is hereby ORDERED that Rowe supplement his Petition by filing with this Court not later than March 27, 2020, copies of any relevant paperwork, including without limitation any paperwork from the Darke County Common Pleas Court or the Darke County Sheriff which evidences a detainer.

March 13, 2020.

s/ *Michael R. Merz*
United States Magistrate Judge